

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:04-00219

TONY REDMAN

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On July 31, 2017, the United States of America appeared by Timothy D. Boggess, Assistant United States Attorney, and the defendant, Tony Redman, appeared in person and by his counsel, John R. McGhee, Jr., for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Joseph Black. The defendant commenced a 5-year less one day term of supervised release in this action on August 12, 2016, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on November 24, 2015.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court

found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state offense of robbery on September 27, 2016, as more fully described in Violation No. 1, as evidenced by the defendant's agreement on the record of the hearing that the government possesses sufficient proof to prove the offense by a preponderance of the evidence; (2) the defendant failed to submit monthly reports for the months of November and December 2016, and January 2017, and thereafter absconded supervision inasmuch as his whereabouts were unknown to the probation officer at the time of the submission of the petition on February 22, 2017; (3) the defendant failed to report to the probation officer as directed on October 6 and October 19, 2016; (4) the defendant committed the state and local offenses of speeding, no operator's license and falsification in Circleville, Ohio, as evidenced by his guilty plea to all counts in Circleville, Ohio, Magistrate Court, for which he received a sentence of five days in jail; and (5) the defendant left the judicial district without permission as evidenced by his arrest in Circleville, Ohio, as described above; all as admitted by the defendant on the record of the hearing with the exception of (1) as set forth above and all as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWENTY-FOUR (24) MONTHS.

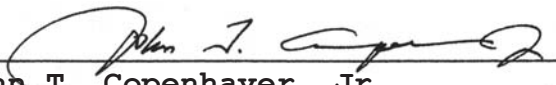
The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that the defendant (1) be designated to a medical facility, preferably FMC Lexington or FMC Butner, where medical personnel are advised to review the Violation Report submitted by the probation

officer in this case as a supplement to the petition, along with the defendant's medical records from USP Terre Haute; (2) be designated to an institution where a Comprehensive/Residential Drug Treatment program can be made available to him; and (3) to the extent feasible, make monthly restitution payments out of prison earnings.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: August 1, 2017



John T. Copenhaver, Jr.
United States District Judge